

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to GSF Downtown Assoc.

3940 Orange Street  
Riverside, CA 92501

its heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property.

A portion of the public street right of way of Ninth Street, together with a portion of the public street right of way of Orange Street, together with a portion of that certain alley lying within Block 9, Range 5 of the Map of the Town of Riverside, as shown by map on file in Book 7, Page 17 of Maps, records of San Bernardino County, California, as shown on the attached Exhibit "A",

in accordance with the terms hereof.

1. Permittee shall use and occupy the described property only in the manner and for the purposes as follows: Construction and maintenance of 2 planters and a "Thermo-Brique" type veneer as shown on the attached Exhibit "A".

1a. Permittee shall obtain a street opening permit from the Public Works Department prior to construction.

1b. All improvements shall be in accordance with the conditions approved by the Cultural Heritage Board on November 21, 1990.

2. Permittee, by acceptance of the benefits hereunder, acknowledges title to the property to be in the City of Riverside and waives any right to contest the validity of the dedication or grant.

3. Permittee acknowledges that the described property is the site of a proposed or planned public improvement and that, accordingly, all rights and privileges of use permitted shall cease and expire upon notice of revocation by the City. Upon the expiration or revocation, Permittee shall, within the time prescribed by the City, remove all improvements or obstructions placed, constructed or maintained by the Permittee. If the Permittee fails to abide by the removal order of the City within the time prescribed, the City shall have the right to remove and destroy the improvements without reimbursement to the Permittee and the cost of such removal shall be paid by the Permittee to the City of Riverside and shall constitute a debt owed to the City of Riverside.

4. Permittee, by acceptance hereof, waives the right of claim, loss, damage or action against the City of Riverside arising out of or resulting from revocation, termination, removal of the improvements or any action of the City of Riverside, its officers, agents or employees taken in accordance with the terms hereof.

5. Finding and determination by the City Council of the City of Riverside that the Permittee, or his heirs and assigns or successors in interest, are in default of the terms hereunder shall be cause for revocation.

6. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims, demands, costs, losses, damages, injuries, action for damages and/or injuries, and liability growing or arising out of or in connection with the construction, encroachment, and/or maintenance to be done by Permittee or his agents, employees or contractors within the described property.

DATED: April 2, 1991

CITY OF RIVERSIDE, a municipal corporation

By Terry F. Huggel Mayor

Attest Karen E. Sindquist City Clerk

The foregoing is accepted by:

Randy R. Nelson, General Partner  
(Signature(s) of Permittee)  
G.F. Downtown Associates

APPROVED AS TO CONTENT

Barry Ford  
Department Head - Public Works

For [Signature]  
Department Head - Planning

APPROVED AS TO FORM

John Woodhead  
City Attorney

Terry Nelson  
Department Head - Park & Recreation

CITY MANAGER APPROVAL

Robert E. Tremont  
City Manager

Dieter P. Witzfeld  
Department Head - Public Utilities